

THE HONORABLE JUDGE THOMAS ZILLY

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ERIC MATTHEW SCHOENBERG,

Plaintiff,

v.

WINDSTAR CRUISES LLC, et al,

Defendants.

No. 2:20—cv-01485—TSZ

MOTION TO WITHDRAW AS
PLAINTIFFS' COUNSEL OF
RECORD PURSUANT TO LCR
83.2(B)(1)

NOTED FOR HEARING:
3/26/2021

I. MOTION TO WITHDRAW

COMES NOW Attorney James McCanna and respectfully moves the court for an order allowing counsel to withdraw as attorney of record for Plaintiff Eric Schoenberg in the above referenced matter. This motion is made pursuant to LCR 83.2(b)(1) and based on the subjoined declaration of counsel.

1 RESPECTFULLY SUBMITTED this 11th day of March, 2021.

2
3
4 /s/ JAMES MCCANNA

James McCanna, WSBA # 22565

5 McCanna Law, PLLC

6 P.O. Box 468

7 Kingston, WA 98346

8
9 **II. DECLARATION OF COUNSEL**

10 COMES NOW James McCanna, under penalty of perjury under the laws of the
11 State of Washington, and deposes and testifies as follows:
12

13 1. I am the attorney of record for Plaintiff Eric Schoenberg in this matter, I make this
14 declaration based upon personal knowledge, and I am competent to make the same.
15

16 2. This matter is still in the discovery phase with discovery from Plaintiff due on
17 March 17, 2021.

18 3. The discovery cut-off date is May 18, 2021.

19 4. I made my best efforts to keep my client advised about litigation deadlines,
20 including discovery deadlines.

21 5. Throughout this lawsuit, I have had difficulties in getting timely responses from my
22 client.
23

24 6. I have made repeated efforts to contact my client, through voice mail, email and via
25 text message.
26
27

1 7. On the few occasions I have managed to speak with my client I have requested
2 timely responses to my inquiries and requests. I repeatedly advised my client that I could
3 not continue to represent him in the face of his repeated delays.

4 8. I have not heard from my client since February 23, 2021.

5 9. On March 4, 2021, I sent a certified letter of notice of withdrawal to his last known
6 address. Prior to this letter I confirmed his address in my records and with his mother.

7 10. Review of the tracking number on the USPS website on March 11, 2021 shows that
8 the letter has been forwarded to an unknown address.
9

10
11 By: /s/ James McCanna
12 James K. McCanna, WSBA NO. 22565
13 McCanna Law, PLLC
14 P.O. Box 468
15 Phone: (360) 297-4057
16 Fax: (360) 297-4157
17 Email: jmccanna@mccannalaw.com
18
19
20
21
22
23
24
25
26
27